Docket No.: S63.2B-11032-US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Robert E. Burgmeier, Richard L. Goodin, Joseph

Delaney Jr., and Larry Peterson

Application No.: 10/749821

Filed: December 31, 2003

For: MEDICAL DEVICE WITH VARYING

PHYSCIAL PROPERTIES AND METHOD FOR

FORMING SAME

Examiner: Monica Anne Huson

Group Art Unit: 1791

Mail Stop <u>Amendment</u> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT

This Amendment is in response to the Office Action dated September 5, 2008.

If an extension of time is required to make this response timely and no separate petition is enclosed, Applicant hereby petitions for an extension of time sufficient to make the response timely. In the event that this response requires the payment of government fees and payment is not enclosed, please charge Deposit Account No. 22-0350.